

18649. Adulteration and misbranding of vitamin B complex capsules. U. S. v. 41 Cases * * *. (F. D. C. No. 32208. Sample No. 18291-L.)

LIBEL FILED: December 5, 1951, District of Arizona.

ALLEGED SHIPMENT: On or about April 1, 1951, from California.

PRODUCT: 41 cases, each containing 12 1000-capsule bottles, of vitamin B complex capsules at Phoenix, Ariz.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁ (thiamine), had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "Each contains not less than Thiamine Hydrochloride (B₁) 1.0 mgm. * * * Each compressed capsule contains the minimum adult daily requirement of Thiamine" was false and misleading since the article contained less than one mg. of vitamin B₁.

The product was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: January 29, 1952. Default decree of condemnation and destruction.

18650. Misbranding of d-alpha-tocopheryl acetate capsules. U. S. v. 139 Bottles * * *. (F. D. C. No. 32022. Sample No. 9907-L.)

LIBEL FILED: November 23, 1951, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 5, 1951, by the Gelatin Products Division, R. P. Scherer Corp., from Detroit, Mich.

PRODUCT: 139 100-capsule bottles of d-alpha-tocopheryl acetate capsules at Chicago, Ill.

RESULTS OF INVESTIGATION: The product was shipped in bulk and, upon receipt by the consignee, was repacked into bottles.

LABEL, IN PART: (Bottle) "100 No. 709 Vim-EE Capsules Each capsule contains d-alpha Tocopheryl Acetate (from vegetable oils) equivalent by biological assay to 50 International Units Vitamin E."

NATURE OF CHARGE: Misbranding, Section 403 (j), the article purported to be a food for special dietary uses, and its label failed to bear such information concerning its vitamin content as the Federal Security Administrator has determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses, since the label failed to bear a statement that the need for vitamin E in human nutrition has not been established.

The article, together with certain other articles of drug, was alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 3747.

DISPOSITION: April 1, 1952. Default decree of condemnation and destruction.

INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 18601 TO 18650

PRODUCTS

| | N. J. No. | | N. J. No. |
|---|-----------|----------------------------------|--------------|
| Almonds, unshelled..... | 18636 | Brazil nuts..... | 18637, 18638 |
| alpha-tocopheryl, d-, acetate capsules..... | 18650 | Cereals and cereal products..... | 18601-18611 |
| Bananas, mashed, canned..... | 18619 | Chili peppers..... | 18645, 18646 |
| Beans, dried..... | 18622 | Chum salmon, frozen..... | 18612 |

FEDERAL SECURITY AGENCY**FOOD AND DRUG ADMINISTRATION****NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG,
AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

18651-18700

FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency. Published by direction of the Federal Security Administrator.

CHARLES W. CRAWFORD, *Commissioner of Food and Drugs.*WASHINGTON, D. C., *December 1, 1952.***CONTENTS**

| | Page | | Page |
|---|------|--|------|
| Beverage and beverage material | 286 | Fish and shellfish | 296 |
| Candy, sirup, and sugar | 287 | Fruits and vegetables | 297 |
| Candy | 287 | Canned fruit | 297 |
| Sirup | 287 | Dried fruit | 297 |
| Sugar | 288 | Frozen fruit | 298 |
| Cereals and cereal products | 288 | Vegetables | 298 |
| Bakery products | 288 | Tomatoes and tomato products | 299 |
| Flour | 289 | Meat and poultry | 300 |
| Miscellaneous cereals and cereal products | 290 | Nuts | 302 |
| Dairy products | 292 | Spices, flavors, and seasoning materials | 303 |
| Butter | 292 | Vitamin, mineral, and other products of special dietary significance | 304 |
| Cheese | 294 | Index | 305 |
| Miscellaneous dairy products | 294 | | |
| Feeds | 295 | | |